

STATE OF MICHIGAN
COURT OF APPEALS

ZOEANN MCDONALD,

Plaintiff-Appellant,

v

ALDEN PARK APARTMENTS, LAVENTRICE
COX, VANESSA NANCE, CRAIG
SAPERSTEIN, and SAPERSTEIN
MANAGEMENT COMPANY,

Defendants-Appellees.

UNPUBLISHED

May 31, 2005

No. 260512

Wayne Circuit Court

LC No. 04-0423513-CH

Before: Murphy, P.J., and White and Smolenski, JJ.

SMOLENSKI, J. (*concurring*).

While it is unclear, under the facts of this case, whether plaintiff stands a reasonable chance of uncovering factual support for her claim, *Village of Dimondale v Grable*, 240 Mich App 553, 566; 617 NW2d 23 (2000), plaintiff is entitled to at least a modicum of discovery before having her case tested under MCR 2.116(c)(10). Therefore, I concur in the result reached by the majority.

/s/ Michael R. Smolenski